

ADULT CARE AND HEALTH POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 4.30 pm on 3 February 2021

Present:

Councillor Mary Cooke (Chairman)
Councillor Robert Mcilveen (Vice-Chairman)
Councillors Judi Ellis, Robert Evans, Simon Jeal,
David Jefferys, Keith Onslow and Angela Wilkins

Francis Poltera and Vicki Pryde

Also Present:

Councillor Ian Dunn,
Councillor Angela Page, Executive Assistant for Adult Care and Health
and Councillor Diane Smith, Portfolio Holder for Adult Care and Health

46 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Gareth Allatt and Roger Chant.

47 DECLARATIONS OF INTEREST

Councillor Angela Wilkins declared that she worked for Hestia, who were referenced in the Council's Contracts Register.

48 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions had been received.

49 LEARNING DISABILITY SUPPORTED LIVING CONTRACT AWARD (PART 1)

Report ACH21-009

The Committee considered a report regarding the proposed Learning Disability Supported Living Contract Award.

The Assistant Director for Integrated Commissioning advised Members that the Council had a contract in place with the Southside Partnership (usually referred to as the Certitude contract) to provide Learning Disability supported living and community-based day and respite services. Executive approval was obtained in November 2019 to extend the contract for a period of up to 2 years from 1st October 2020 to 30th September 2022. However, in April 2020 when it came to discussing the finer details of the contract extension, the provider introduced terms that the Council were unable to agree to and was therefore unable to extend the contract as originally intended. Subsequent negotiation resulted in a 6-month extension of the contract to 31st March 2021, and during this period the Council would be required to re-commission these services. It was noted that this had been challenging as the commissioning process was shorter than they would have liked, however the market for these services was mature and well developed, so they had been confident that there would be good competition.

The Assistant Director for Integrated Commissioning highlighted that due to the pandemic, there had been some limitations on the consultation with service users and carers. However, as a large consultation had taken place with service users in 2019, and used to inform the Learning Disability Strategy, they had been able to draw down some of this information. The commissioning strategy had been developed and was provided to Members in September and November 2020.

A Member, assuming that the contract was awarded, queried when the Committee would have the opportunity to see how the contract was “bedding down”, and be provided with feedback from service users. The Assistant Director for Integrated Commissioning advised that it would be best for this to take place following a period in which the Local Authority would work with the providers as they settled into the contract. It was agreed that an update could be scheduled, and presented at a meeting of the Adult Care and Health PDS Committee later in the year.

The Head of Complex and Long-Term Commissioning informed Members that the supported living contract was for 35 service users, living across 9 properties. A two-stage tender process had been undertaken from October 2020, in accordance with contract procedure rules and in consultation with the Corporate Procurement Team using the online tendering system Pro-contract. Approximately 15 bids were received and evaluated during the initial Stage 1 process, with the top five bids taken through to Stage 2.

The Stage 2 process included an analysis of their submissions, followed by an online interview in early January 2021, allowing providers to clarify aspects of their bids. The tenders were evaluated with the Council’s usual 60% price / 40% quality split. The results were analysed using the CIPFA model as set out in Appendix 2 of the Part 2 report, and enabled them to establish the leading provider.

A Member noted that the report indicated that some staff providing support services may not TUPE transfer to the new provider, and asked for

assurances that there would be minimal impact on service users. The Head of Complex and Long-Term Commissioning advised that the majority of the current staff were expected to TUPE transfer to the new provider, and therefore the impact upon individual service users was expected to be minimal.

In response to a question regarding the Key Performance Indicators provided in Appendix 1 of the report, the Head of Complex and Long-Term Commissioning advised that a Quality Assessment Framework was used to evaluate the performance of providers, in which they were ranked from A-D. The requirement was for providers to achieve at least a 'B' rating, or above, for their performance. This was a quality ranking measure that was used by the Contract Monitoring team. Wide ranging parts of the service were assessed, looking at the quality of care provided in term of service user outcomes, staff, and supervision. It was noted that this was closely related to the Care Quality Commission (CQC) inspection standards.

A Member noted that the report stated the tender may have been less attractive to some organisations due to the inclusion of the likely TUPE transfer of staff who had LGPS pensions. It was questioned how many potential providers may have dropped out of the tender process because of this liability. The Head of Complex and Long-Term Commissioning said that this was difficult to quantify, as although a significant number of providers registered their interest, not all of them would submit a bid and they were unable to establish the reasons why. In response, the Member suggested that it may be useful for officers to gain further understanding by looking at the reasons, and any feedback passed on.

RESOLVED that:

1.) The report be noted;

2.) The Executive be recommended to:

- i.) Award the contract for the provision of supported living services as set out in Part 2 of the report, commencing on 1st April 2021 for a period of 5 years to 31st March 2026, with the potential to extend for two further periods of 2 years each with contract values as stated in Part 2 of the report; and,**
- ii.) Delegate to the Director of Adult Social Care, Education, Care and Health Services, in consultation with the Portfolio Holder for Adult Care and Health Services, the Assistant Director Governance and Contracts, the Director of Finance and the Director of Corporate Services, authorisation to exercise the two extension periods of up to 2 years each.**

**50 LEARNING DISABILITY RESPITE CONTRACT AWARD (PART
1)**

Report ACH21-014

The Committee consider a report regarding the proposed Learning Disability Respite Contract Award.

The respite element of the block contract currently provided 7 beds at the 118 Widmore Road respite service at a cost of £562k per annum, with up to 5 additional beds available for spot purchase from Southside at the service. The Assistant Director for Integrated Commissioning highlighted that a gateway report, setting out the proposed way forward in relation to learning disability community provision, had been scrutinised by Adult Care and Health PDS at its meeting on 24th November 2020, and subsequently received Leader agreement.

In accordance with the Council's financial and contractual requirements, the report set out the results of the direct negotiated contract award process and sought Executive agreement to award the contract as set out in the Part 2 report. The contract was to provide 6 block beds and would commence on 1st April 2021 for a period of 2 years with no options to extend, and with a contract value as detailed in the Part 2 report. The option to purchase up to 6 additional beds on a spot basis would be in place to meet peak demand.

The Assistant Director for Integrated Commissioning highlighted that COVID-19 had a major impact upon families, with some going into crisis. As a result of the pandemic, 118 Widmore Road was now at 75% capacity with emergency respite cases and new safeguarding cases continuing to emerge. With the pandemic worsening over the winter period, 118 Widmore Road continued to be a key emergency respite resource and it remained essential that there was uninterrupted provision over the coming months to meet this demand.

A Member noted that the proposed contract period was for two years. It was considered that a better option may have been a two-year period with extension options, to reduce the burden on officers of further procurement, which could be a lengthy and time-consuming process. The Head of Complex and Long-Term Commissioning said that the contract had been limited to two years due to a negotiated award process being used. As a result, they had been required to limit the contract to this maximum term.

RESOLVED that:

- 1.) The report be noted; and**
- 2.) The Executive be recommended to award the contract for the provision of 6 block beds at the residential respite service at 118 Widmore Road as detailed in the Part 2 report, commencing on 1st**

April 2021 for a period of 2 years to 31st March 2023 and with a contract value as detailed in the Part 2 report.

51 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000

RESOLVED that the Press and public be excluded during consideration of the items of business listed below as it was likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

**The following summaries
Refer to matters involving exempt information**

52 LEARNING DISABILITY SUPPORTED LIVING CONTRACT AWARD (PART 2)

The Committee noted the Part 2 information within the report.

53 LEARNING DISABILITY RESPITE CONTRACT AWARD (PART 2)

The Committee noted the Part 2 information within the report.

The Meeting ended at 5.10 pm

Chairman

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